United Nations

Report of the Committee on Relations with the Host Country

General Assembly
Official Records • Forty-seventh Session
Supplement No. 26 (A/47/26)

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I. INTRODUCTION

1. The Committee on Relations with the Host Country was established pursuant to General Assembly resolution 2819 (XXVI) of 15 December 1971. At its forty-sixth session, the General Assembly, by its resolution 46/60 of 9 December 1991, requested the Committee to continue its work, in conformity with General Assembly resolution 2819 (XXVI), and decided to include in the provisional agenda of its forty-seventh session the item entitled "Report of the Committee on Relations with the Host Country".

2. The present report is divided into four sections. The recommendations and conclusions of the Committee are contained in section IV.

II. MEMBERSHIP, TERMS OF REFERENCE AND ORGANIZATION OF THE WORK OF THE COMMITTEE

3. In 1992, there were no changes in the membership of the Committee, which was as follows:

Bulgaria	Iraq
Canada	Mali
China	Russian Federation
Costa Rica	Senegal
Côte d'Ivoire	Spain
Cyprus	United Kingdom of Great Britain and Northern Ireland
France	
Honduras	United States of America

4. Throughout 1992, Mr. Constantine Moushoutas (Cyprus) continued to serve as Chairman, the representatives of Bulgaria, Canada and Côte d'Ivoire as Vice-Chairmen; and Mrs. Emilia Castro de Barish (Costa Rica) as Rapporteur.

5. The terms of reference of the Committee were determined by the General Assembly in its resolution 2819 (XXVI). In 1992, the Committee retained a detailed list of topics, previously adopted in May 1982, as follows:

1. Question of the security of missions and the safety of their personnel.

2. Consideration of, and recommendations on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, including:

   (a) Entry visas issued by the host country;

   (b) Acceleration of immigration and customs procedures;

   (c) Exemption from taxes;

   (d) Possibility of establishing a commissary at United Nations Headquarters to assist diplomatic personnel and staff.

3. Responsibilities of permanent missions to the United Nations and their personnel, in particular the problem of claims of financial indebtedness and procedures to be followed with a view to resolving the issues relating thereto.

4. Housing for diplomatic personnel and for Secretariat staff.

5. Question of privileges and immunities:

   (a) Comparative study on privileges and immunities;

   (b) Convention on the Privileges and Immunities of the United Nations and other relevant instruments.

6. Host country activities: activities to assist members of the United Nations community.

7. Transportation: use of motor vehicles, parking and related matters.

8. Insurance, education and health.

9. Public relations of the United Nations community in the host city and the question of encouraging the mass media to publicize the functions and status of permanent missions to the United Nations.

10. Consideration and adoption of the Committee's report to the General Assembly.

6. During the period under review, the Committee held four meetings: the 155th meeting on 22 April 1992, the 156th meeting on 26 June 1992, the 157th meeting on 6 October 1992 and the 158th meeting on 27 October 1992.

7. The Bureau of the Committee consists of the Chairman, the Rapporteur, the three Vice-Chairmen and a representative of the host country who attends Bureau meetings ex officio. The Bureau is charged with the consideration of topics before the Committee, with the exception of the question of the security of missions and the safety of their personnel, which the Committee keeps under permanent review in plenary meetings.

8. During the period under review, the Bureau held four meetings: on 12 March, 9 June, 27 August and 25 September 1992. Among other matters, the Bureau considered the customs and immigration procedures at Kennedy International Airport, complaints of delays in the issue of entry visas by the host country and questions related to transport and to travel restrictions. In addition, the Bureau considered the problem of the financial indebtedness of certain permanent missions to the United Nations. The Bureau's proposals and recommendations were transmitted by its Chairman to the plenary Committee for its consideration.

9. The Working Group on Indebtedness, whose mandate is to consider all aspects of the problem, held two meetings, on 12 March and 9 June 1992. After the resignation of Mr. Ivan Sotirov (Bulgaria) as Chairman of the Working Group, the Committee, at its 155th meeting, appointed Mr. Don Alfonso María Dastis (Spain) to head the Working Group.

10. At its meeting on 27 August 1992, the Bureau was informed by the Chairman of his intention to relinquish his functions as Chairman of the Committee. At the 157th meeting, the Committee decided to elect its new Chairman at its 158th meeting, on the understanding that the new Chairman would assume his duties after the conclusion of the consideration of the Committee's report by the Sixth Committee, tentatively scheduled for the latter part of November 1992.

11. At its 158th meeting, the Committee elected by consensus the Permanent Representative of Cyprus, Mr. Andreas Jacovides, as its new Chairman.

III. TOPICS DEALT WITH BY THE COMMITTEE

A. Consideration of, and recommendations on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations

1. Host country travel regulations

12. At its 155th meeting, the Committee resumed its consideration of matters relating to host country travel regulations. The Chairman informed the Committee that, effective 23 December 1991, the travel restrictions previously imposed by the host country on the staff members of the United Nations of Vietnamese nationality, together with their dependants, had been lifted. He welcomed that decision and expressed the hope that the remaining travel restrictions would be removed by the host country as soon as possible.

13. The representative of the United States of America stated that the imposition of travel controls by the host country was not an arbitrary gesture, but rather a measure taken in the national security interests of the United States and pursuant to domestic legislation. Since official United Nations travel remained unaffected, those controls in no way interfered with the host country's obligation to grant access to the Headquarters district. Periodic review of United States policy on travel controls took into account changes in circumstances which might have an impact on those policies. He hoped to have some positive news to be announced soon in that respect. He also informed the Committee that the Government of the United States had lifted the numerical ceilings imposed on staff levels of the Permanent Missions of Belarus, the Russian Federation and Ukraine.

14. The representative of the Libyan Arab Jamahiriya said that the discriminatory treatment with regard to the freedom of movement of the Libyan Mission staff in New York continued. He stated that such treatment was not consonant with the Headquarters Agreement and expressed the hope that the host country authorities would cooperate with a view to resolving the problem.

15. In response, the representative of the United States said that there was no contradiction between travel restrictions imposed on the basis of the national security interests of the United States and the provisions of the Headquarters Agreement. Official travel of the Libyan nationals working in the United Nations Secretariat was not restricted. The United States position on recreational travel was well known.

16. The representative of Iraq welcomed the decision by the host country to lift the numerical ceilings and travel restrictions vis-à-vis certain missions. He hoped that those measures would be consistently implemented in order to ensure the proper functioning of all missions accredited to the United Nations.

17. At the 156th meeting, the Chairman informed the Committee of the removal by the host country, as from 24 April 1992, of all travel restrictions previously imposed upon the members of the Permanent Missions of Belarus and Ukraine, as well as on United Nations staff members of those nationalities.

In addition, there were no travel restrictions in force in respect of members of the Permanent Missions of Armenia, Azerbaijan, Estonia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, the Republic of Moldova, Tajikistan, Turkmenistan and Uzbekistan. Unrestricted travel in the United States was also accorded to the United Nations Secretariat staff members who were nationals of those Member States. The Bureau of the Committee, at its meeting on 9 June 1992, welcomed that decision by the host country. The Chairman reiterated the hope that the remaining travel restrictions would be removed, or at least lessened, by the host country, as soon as possible.

18. At the 157th meeting, the Chairman apprised the Committee of yet another positive measure taken by the host country aimed at lessening travel controls previously imposed upon personnel of the Mission of the Russian Federation and Russian officials at the United Nations Secretariat. According to a note verbale from the United States Mission dated 7 August 1992, effective 13 July 1992 all restrictions on travel to closed areas in the United States to which Russian Federation Mission personnel and their dependants were subject had been abolished. Russian Mission personnel with the rank of Ambassador, Minister and Counsellor may now undertake travel to any destination without prior advance notification; other Mission personnel will still be required to submit travel notifications to the United States Mission. As to staff members of the United Nations Secretariat of Russian nationality, and their dependants, they will no longer be required to request approval for private recreational travel. However, they will still be required to notify the United States Mission of such recreational travel by submitting a streamlined travel notification form.

19. The Chairman further informed the Committee that, according to a note verbale from the United States Mission dated 24 September 1992, all restrictions on travel in the United States by members of the Permanent Mission of Georgia, as well as Georgian nationals at the United Nations Secretariat, had also been removed. The Chairman welcomed these positive measures by the host country. However, he expressed the hope that, since travel restrictions continued to remain in force with respect to certain other missions accredited to the United Nations, as well as United Nations Secretariat staff members of certain nationalities, those travel restrictions would be removed as soon as possible.

20. The representative of Iraq stressed the importance of the Committee as a forum for the satisfactory solution of problems faced by the diplomatic community. He welcomed the positive decisions taken by the host country to eliminate the travel restrictions which had been imposed on certain missions and reiterated the hope that the host country would consider the possibility of adopting similar measures vis-à-vis the other missions thus affected. He urged the host country to unfreeze Iraq's liquid assets in the United States, in order to enable the Iraqi Mission to pay its staff salaries and rents.

2. Entry visas issued by the host country

21. At the 155th meeting, the representative of the Libyan Arab Jamahiriya stated that officials of his country continued to experience difficulties in obtaining United States entry visas when coming to New York to participate in various meetings of the United Nations. In a number of instances, there were

delays in the issuance of entry visas. There were also difficulties in obtaining multiple entry visas for the members of the Libyan Mission who, from time to time, were obliged to leave New York to participate in meetings outside the United States. Such discriminatory treatment adversely affected the Libyan Mission's activities. He hoped that the host country would cooperate in solving those problems.

22. The representative of the United States observed that the Libyan Mission had provided no documentation on any discriminatory delay by the host country in the issuance of visas. The United States stood ready to respond in writing should such documentation be provided by the Libyan Mission.

3. Acceleration of immigration and customs procedures

23. At the 155th meeting, the Chairman informed the Committee that the Bureau, at its meeting held on 12 March 1992, had considered changes in the procedures relating to the arrival of foreign dignitaries at Kennedy International Airport and arrangements to greet them. Those changes had been announced by the United States Mission in a circular note verbale dated 27 January 1992 addressed to the United Nations Secretariat, the Permanent Missions and Observer Offices to the United Nations. The Bureau had been informed by the representative of the host country concerning the implementation of those arrangements. The Bureau had welcomed the measures being taken by the competent host country authorities aimed at streamlining and ameliorating the arrangements made for the meeting and greeting at Kennedy International Airport of heads of State or Government, foreign ministers, officials of cabinet rank, ambassadors to the United States and the United Nations, consuls general, senior United Nations officials and their spouses.

24. At the 156th meeting, the Chairman observed that there had been continuing improvements made by the host country at Kennedy International Airport. The Bureau of the Committee had considered a proposal that the United States Customs Service might make a presentation on these matters. The Committee decided to invite the United States Customs Service, through the United States Mission, to make such a presentation.

25. The representative of the United States said that the Committee's invitation would be forwarded to the Regional Director of the United States Customs in New York.

26. The representative of the Russian Federation recalled that the Committee had already discussed the need for a special entrance line for diplomats at Kennedy International Airport. Such a facility would be a sign of respect for the diplomatic community. He observed that in other capitals of Member States diplomats had a separate entrance at the airports and special access to passport control areas. He asked what was being done by the competent host country authorities on this matter in New York.

27. The representatives of Mali and the United Republic of Tanzania shared the observations made by the representative of the Russian Federation.

28. The Chairman said that, based upon his own experience, there were in fact such special facilities for diplomats and United Nations Secretariat staff at certain terminals of Kennedy International Airport. However, those facilities should be extended to the remaining terminals.

29. The representative of the United States said that, given the complexity of the situation, things did not always go as they should. There was a diplomatic line at the main arrivals building at Kennedy International Airport. The host country had been working actively with airport officials to facilitate the greeting of diplomats by members of their missions. The diplomatic line usually worked very well. However, the Government of the United States remained seized of the matter and was committed to improving the situation.

30. At the 158th meeting, the representative of the United States, referring to a decision of the Committee to invite the United States Customs Service to make a presentation on customs procedures, advised the Committee that the Regional Director of the United States Customs Service would be prepared to make such a presentation on 17 December 1992.

B. Responsibilities of permanent missions to the United Nations and their personnel, in particular the problem of claims of financial indebtedness and procedures to be followed with a view to resolving the issues relating thereto

31. At its 155th meeting, the Committee resumed its deliberations on various aspects of the problem of financial indebtedness. The Chairman informed the Committee that the Working Group on Indebtedness, at its meeting held on 12 March 1992, had discussed various aspects of this matter. It had in particular been briefed by the representative of the United States on a number of practical problems of financial indebtedness being handled by the United States Mission on a bilateral basis with a view to resolving the existing difficulties.

32. The Chairman also informed the Committee that the Chairman of the Working Group on Indebtedness, Mr. Sotirov (Bulgaria), had resigned. After consultations between the interested parties, the members of the Bureau had decided to recommend to the Committee the appointment of Mr. Don Alfonso María Dastis, Counsellor of the Spanish Mission, to head the Working Group. The Committee unanimously endorsed the recommendation of the Bureau.

33. The representative of Spain, in his capacity as the Chairman of the Working Group on Indebtedness, assured the Committee that he would work to find a solution to those serious problems in order to achieve a better understanding between the diplomatic community and the host country authorities, as well as the authorities of the City of New York.

34. The representative of the United States stated that the vexing problem of indebtedness was seen by the host country as a priority issue. When a diplomat or a diplomatic mission or a staff member of the United Nations Secretariat failed to pay just debts, that reflected poorly on the entire United Nations community. If the pattern of non-payment became flagrant, there could be no alternative but to take determined action against the

diplomat or the staff member of the Secretariat. Diplomats at two permanent missions had recently been advised that they would be directed to leave the United States if their debts were not satisfied. The decision to take that action had been reached only after the most careful consideration within the Government of the United States and in consultation with the United Nations, after all diplomatic efforts to resolve the problem had been exhausted. The United States agreed with the United Nations Legal Counsel that the sending State was expected to meet its financial responsibilities in the receiving State, that is, the United States. In the view of the United States, a failure to do so could give rise to the expulsion of members of the Mission on the grounds of abuse of residence. In a recent case, a United States court had rejected the argument of the Government of the United States regarding the inviolability of premises of a Permanent Mission to the United Nations. The court had issued a decision permitting United States marshals to evict a mission from its premises for non-payment of rent. If the decision were affirmed on appeal, it would have negative consequences for the entire diplomatic community. The decision could be withdrawn if there were a settlement. The missions should not incur financial obligations that could not be met. If necessary, certain Member States should reduce the size of their permanent missions in New York. Furthermore, missions should retain an attorney in order to respond to litigation; failure to respond in a timely fashion to litigation procedures might lead to default judgements and might jeopardize or complicate the ability to make the appropriate arguments at a later stage. The Government of the United States would take appropriate action in court cases when necessary. However, missions should notify the United States Mission at the earliest stage of any legal action against them. While the United States would seek to uphold its international legal obligations in United States courts, it would not condone irresponsible financial practices. The rights of private United States citizens who in good faith provided services to members of the United Nations diplomatic community must be respected.

35. The Legal Counsel stated that the problem of indebtedness risked putting into jeopardy some of the traditional privileges and immunities enjoyed by diplomats, in particular the inviolability of the premises of missions accredited to the United Nations. The United Nations Secretariat had always defended, and would continue to defend, the legitimate rights of missions and their personnel under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations (General Assembly resolution 169 (II) of 31 October 1947), the Convention on the Privileges and Immunities of the United Nations of 13 February 1946 1/ and the Vienna Convention on Diplomatic Relations of 18 April 1961. 2/ In this regard, the record of the Organization in general, and of the Office of Legal Affairs in particular, was quite well documented. Not least in this regard was the record of the Committee itself. The defence of such rights, privileges and immunities resulting from international law was immensely difficult if missions or their personnel accumulated large debts, in particular rental debts over an extended period of time, and then invoked diplomatic immunity so that their landlords or other creditors had neither the income from the property nor the possession of the real estate. Referring to the specific case referred to at the current meeting, he appealed to the parties concerned to take the necessary steps in all forums, including national courts, to safeguard the important principles of diplomatic immunity and inviolability, of which the inviolability of the premises of missions was

an important part, while removing the grounds for allegations of abuse of those rights. He strongly appealed to missions to be mindful that they were expected to pay their debts in full and to ensure that diplomatic privileges and immunities were not used to avoid paying debts.

36. At the 156th meeting, the Chairman informed the Committee that, at a joint meeting of the Working Group on Indebtedness and the Bureau, held on 9 June 1992, the host country representatives had briefed those bodies on the problem of financial indebtedness and measures being taken by the host country with regard to the matter. Among other matters, the possibility of arranging group health and dental insurance coverage for mission personnel had been discussed.

37. The representative of the United States observed that the difficult problem of missions' indebtedness continued. The indebted missions were urged to reduce the size of their staff to an affordable level. The high cost of medical services in the United States could be a source of financial burden. The host country Mission was concerned that many members of the diplomatic community in New York did not have any health insurance. A questionnaire had been circulated to all missions and consulates concerning their health insurance coverage. The replies would serve as a basis for considering the development of group health insurance, including dental insurance, for personnel of permanent missions to the United Nations.

38. The representative of the Russian Federation stated that the question of medical insurance was significant for a number of permanent missions, including his own. In a number of countries there were certain benefits provided for foreign diplomats concerning medical services. He urged that consideration be given to the existing experience and practice on the matter, which affected real needs of the diplomatic community in New York. The question needed to be addressed because it caused daily problems for many diplomats and their families.

39. The representative of the United States said that the questionnaire was a very important step in finding out the needs regarding medical coverage. All delegations were once again urged to fill them out promptly so that further action could be taken by the United States Mission.

40. At the 157th meeting, the representative of Switzerland noted that, since the permanent missions were accredited to the United Nations and not to the host country, it seemed appropriate for the Organization itself, at the request of the host country, to deal with problems caused by the excessively indebted missions, in order to ensure due respect by those missions and by the members of their staff for the relevant laws. He recalled that the Legal Counsel, in his statement at the 155th meeting, had appealed to missions not to invoke their diplomatic privileges and immunities to avoid settling their debts. Since the host country could not, in principle, constrain missions through normal legal channels, to settle their debts or those of their staff, because of the immunity they enjoyed under international law, Switzerland, as the host country of the United Nations Office at Geneva, reserved the right to resort to other measures, in consultation with the United Nations, when missions accumulated excessive debts. In one case, the Government of Switzerland had taken measures with a view to reducing the staff of an excessively indebted mission. It had implemented the measure with great reluctance and, when it had been possible for most of the debts to be paid to

the Swiss authorities, the measure had been suspended. Such measures could be avoided if, at an earlier stage, the United Nations were able to take steps designed to ensure settlement of debts.

41. The representative of the United States said that the problem of financial indebtedness continued to remain acute for the United States as a host country of the United Nations. The United States position on the problem had been presented to the Committee in detail at its 155th meeting. A related aspect of that problem was the question of medical and dental insurance for diplomatic personnel. The questionnaire circulated by the United States Mission to all missions several months earlier had been answered by only a limited number of missions. Missions concerned were urged to respond to the questionnaire as expeditiously as possible, so as to enable the United States Mission to determine the extent of both interest and need for such insurance coverage and to take further steps in the matter accordingly.

42. The representative of Senegal, responding to the observations made by the representative of Switzerland, said that the sending State was responsible for the behaviour of its diplomatic agents in the receiving State. The former must also do its best to meet its financial obligations in the host country. However, he did not see how the United Nations or the Secretary-General could intervene in such situations. The States concerned must resolve the problem of financial debts with the host country on the basis of the existing international legal instruments in force between the sending and receiving States.

C. Insurance, education and health

43. At the 157th meeting, the representative of the United Republic of Tanzania expressed his country's concern over the insurance arrangements in the host country. Conditions governing insurance for motor vehicles to be undertaken by missions and their personnel were onerous. In addition, there were regulations providing for only one type of coverage. He urged the host country to look into the question whether the diplomatic staff could be accorded the same insurance as that accorded to other nationals of the host country. A more flexible approach in these matters was required, particularly with regard to developing countries with limited financial capacities.

44. In response, the representative of the United States said that the questions raised by the representative of the United Republic of Tanzania had been addressed in detail in a note verbale circulated several years before by the United States Mission. High insurance rates were a common complaint at the personal level. The United States Mission, however, would look into the matter and perhaps recirculate the note in question.

D. Other matters

45. At the 155th meeting, the representative of the United States introduced to the members of the Committee the newly appointed New York City Commissioner for the United Nations and Consular Corps, Mrs. Nadine Hack. Mrs. Hack succeeded Mr. Paul O'Dwyer, who had earlier resigned from the position. Mrs. Hack had had considerable international experience prior to her

appointment as Commissioner. In particular, she had served as President of the New York City Sister City Programme, involved in interactions with a number of capitals of Member States. The hope was expressed that, under her leadership, the New York City Commission would continue to provide the same excellent services to the diplomatic community as it had in the past. The Chairman of the Committee expressed his best wishes to Commissioner Hack and assured her of close and constructive cooperation between the Committee and the New York City Commission.

46. The representative of the Libyan Arab Jamahiriya, referring to Security Council resolution 748 (1992) of 31 March 1992, informed the Committee that the United States had reduced the Libyan Mission personnel in New York by 25 per cent. In that connection he wondered about the legitimacy of the measures taken by the host country. He also wondered whether the Security Council had the right to abrogate the provisions of the Headquarters Agreement.

47. The representative of France noted that Security Council resolution 748 (1992) contained binding provisions requiring States to reduce the number and the level of the staff at Libyan diplomatic missions and consular posts. Those provisions applied expressly to the missions of the Libyan Arab Jamahiriya accredited to international organizations. The measures established by resolution 748 (1992) should be implemented following consultations between the host country and the international organization concerned. In addition, he recalled that, under the Charter of the United Nations, Security Council decisions had precedence over international agreements concluded between Member States. As a result, Security Council resolution 748 (1992) on the matter in question should be considered to prevail over the Headquarters Agreement.

48. The representative of the United States stated that the host country had not given itself the right to impose a reduction. The relevant obligation on Member States derived from Security Council resolution 748 (1992), paragraph 6 of which required that all States should significantly reduce the number and the level of the staff at Libyan diplomatic missions and consular posts throughout the world. The United States Mission, in compliance with that resolution, had requested the Libyan Mission to reduce the size of its staff by three persons by 25 April 1992.

49. At the 157th meeting, the representative of the Libyan Arab Jamahiriya reminded the Committee that, at a previous meeting on 22 April 1992, a number of problems faced by the Libyan Mission concerning entry visas, travel restrictions, a ceiling on the Libyan Mission's liquid assets and reduction of Mission personnel had been outlined. He hoped that his country's concerns would be reflected in the Committee's report.

50. At the same meeting, the Chairman announced his intention to relinquish his functions as Chairman of the Committee. In his consultations on the question of succession, which had been held in early September 1992 with the Legal Counsel and the members of the Committee, the Chairman had thanked them for their cooperation over the past 10 years and sought their support in choosing the new Permanent Representative of Cyprus to the United Nations, Mr. A. Jacovides, as the next Chairman of the Committee. The Committee decided that the process of choosing a new Chairman should be completed at the next meeting, on the understanding that the new Chairman would assume his

duties following the consideration of the Committee's report by the Sixth Committee.

51. At its 158th meeting, the Committee elected by consensus Mr. A. Jacovides as its new Chairman. The Committee confirmed its previous decision that the Chairman-elect would assume his duties after the conclusion of the consideration of the Committee's report by the Sixth Committee, scheduled for 18 November 1992.

52. Mr. Jacovides thanked the Committee for choosing him as Chairman and expressed his readiness to do his utmost in dealing with problems discussed in the Committee. The representatives of the United States, Costa Rica, the Russian Federation, Mali, Iraq, China and the Legal Counsel paid tribute to the outgoing Chairman, Mr. C. Moushoutas, for his outstanding dedication and extraordinary service as Chairman of the Committee for the past 10 years, under whose leadership the Committee was able to solve difficult problems. The outgoing Chairman thanked the Host Country Section of the United States Mission, the members of the Committee and the United Nations Secretariat for their support and cooperation during his chairmanship of the Committee.

53. At the 158th meeting, the representative of Cuba, referring to incidents near the Cuban Mission sponsored by hostile elements opposing his Government, as reflected in the Committee's report of 1991, said that 13 new incidents had been reported this year to the host country in nine notes verbales. Those incidents involved actions of provocation and harassment against the Cuban Mission and its staff, including, on one occasion, open threats to the Mission by a well-known terrorist organization operating against Cuba from the territory of the United States. In its two responses to those representations, the host country sought to justify its failure to guarantee the safety and security and proper conditions for the Cuban Mission. It also referred to the legal provisions of national legislation, according to which demonstrations against the Cuban Mission were possible without any interference on the part of the host country authorities. The host country's responses proved that the incidents against the Cuban Mission were tolerated in view of a hostile policy maintained by the Government of the United States against Cuba. Such policies ran counter to the letter and the spirit of the Charter of the United Nations and international law. He appealed to everyone involved to take the appropriate measures with a view to putting an end to those incidents.

54. In response, the representative of the United States repeated that the United States did take very seriously its responsibilities as host country. The incidents in 1992 brought to the attention of the Committee had been fully investigated in coordination with the Cuban Mission. There was no policy of hostility. There seemed to be a difference of opinion, however, about what constituted democratic process and freedom of speech. The United States position on the matter was conveyed to the Cuban Mission in writing. The host country rejected the charge that it was in collusion with the demonstrators.

IV. RECOMMENDATIONS AND CONCLUSIONS

55. At its 158th meeting, on 27 October 1992, the Committee approved the following recommendations and conclusions:

(a) The Committee welcomes the participation of Members of the United Nations and the Secretariat in its work and is convinced that its important work has been strengthened by the cooperation of all concerned;

(b) Considering that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations is in the interest of the United Nations and all Member States, the Committee appreciates the efforts made by the host country for this purpose and is assured that all problems raised at its meetings will be duly settled in a spirit of cooperation and in accordance with international law;

(c) Considering that the security of the missions accredited to the United Nations and the safety of their personnel are indispensable for their effective functioning, the Committee appreciates the efforts made by the host country to that end and anticipates that the host country will continue to take all measures necessary to prevent any interference with the functioning of missions;

(d) Concerning travel regulations issued by the host country with regard to personnel of certain missions and staff members of the Secretariat of certain nationalities, the Committee takes note of the recent lifting of various travel controls by the host country. The Committee welcomes those decisions and expresses the hope that remaining travel restrictions will be removed by the host country as soon as possible. In that regard, the Committee also notes the positions of the affected Member States, of the Secretary-General and of the host country;

(e) The Committee stresses the importance of the work of its Working Group concerning problems of financial indebtedness and welcomes the cooperation of all interested parties. It reminds all permanent missions to the United Nations and their personnel of their responsibilities to meet their financial obligations and takes note of the concerns of the host country regarding this matter. With a view to resolving the issues relating thereto, the Committee strongly supports the continuation of the Working Group's efforts to find a solution to the problem;

(f) The Committee wishes to reiterate its appreciation to the Host Country Section of the United States Mission to the United Nations, the New York City Commission for the United Nations and the Consular Corps, and to those bodies, particularly the New York City Police Department, which contribute to its efforts to help to accommodate the needs, interests and requirements of the diplomatic community, to provide hospitality and to promote mutual understanding between the diplomatic community and the people of the City of New York.

Notes

1/ United Nations, Treaty Series, vol. 1, No. 4, p. 15.

2/ Ibid., vol. 500, No. 7310, p. 95.

ANNEX

List of documents

A/AC.154/270	Letter dated 4 August 1992 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Legal Counsel
A/AC.154/271	Letter dated 27 August 1992 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the Chairman of the Committee on Relations with the Host Country

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يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم . استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى : الأمم المتحدة ، قسم البيع في نيويورك أو في جنيف .

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